

CITY OF MUSKEGON
MUSKEGON HOUSING BOARD OF APPEALS
MEETING MINUTES
08/03/06
5:30PM

ATTENDANCE: Randy Mackie, Jon Rolewicz, Ed Simmons, Greg Borgman, Chris Carter, Nick Kroes

ABSENT:

EXCUSED: Kirk Kolberg

STAFF: Mark Kincaid, Henry Faltinowski, Ken Murar, Jim Hoppus

GUESTS: Wayne Charles (885 Amity-Garage), Mark Ruegsegger (240 Mason)

Meeting minutes: A motion was made by Randy Mackie and seconded by Jon Rolewicz to approve the July 2006 minutes.

A roll call vote was taken:

AYES:
Greg Borgman
Randy Mackie
Jon Rolewicz
Nick Kroes
Chris Carter
Ed Simmons

NAYES:

EXCUSED:

ABSENT:

Kirk Kolberg

Motion carried.

DANGEREROUS BUILDING REVIEW CASES:

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03-51 – 240 Mason – Mark Ruegsegger, 236 Mason Ave., Muskegon, MI 49441

Mark Ruegsegger was present to represent case.

Mark Kincaid showed pictures to board and stated that all exterior work has been completed. Greg Borgman asked what repairs are left on list. Mark Kincaid stated there was some electrical issues still outstanding and asked staff to comment on further issues. Ken Murar stated the service had been upgraded and approved but other than that no additional permits had been issued. He stated what was still outstanding was upper bathroom, kitchen outlets not GFI protected, lights improperly wired, living room fan improperly installed, extension cords use, kitchen light incomplete. Mark Ruegsegger said he didn't understand that when he had a progress inspection with building inspector that he also needed to have the electrical inspector check work done. Ken Murar stated that all the electrical work had to be done by an electrical contractor. Greg Borgman stated the importance of communicating with inspection department to find out what is actually required. Ken Murar stated that Mr. Ruegsegger needs to hire an electrical contractor, contractor will pull the permit and go thru the list of discrepancies and if work has already been done he will assure the work has been done properly, then contractor will call for inspections and City Inspector will inspect work, verify and sign off on it. Nick Kroes asked if the inspector could go out and see if the work was done properly instead of making him spend the extra money. Ken Murar stated that Inspection Department is guided by State law and since building is commercial space and apartments which is classified mixed use, it has to be done by licensed contractor. Jon Rolewicz asked if original permit issued to the contractor, covered work done. Ken Murar stated the permit covered miscellaneous repairs but the contractor only called for inspection on the service and the permit has now long expired. Greg Borgman asked if mechanical and plumbing was done. Mark Kincaid stated we haven't been called for finals and the last progress inspection conducted in June 2006 showed there was still a lot of work to be completed and there were areas that they couldn't get to because of storage material had not been cleared out. Ed Simmons asked why this has happened. Mr. Ruegsegger said he wasn't aware that he wasn't allowed to install GFI's. Ed Simmons asked if this was his first rental property, which Mr. Ruegsegger answered no. Ed Simmons said the circumstances are different between a homeowner and landlord. Nick Kroes asked how many things on the list are done and were not inspected. Mr. Ruegsegger said a new furnace was put in but don't know if contractor had it inspected. Greg Borgman explained timelines before case goes before City Commission.

Staff Recommendation: Declare the building substandard, a public nuisance, and dangerous building.

Motion made by Randy Mackie and seconded by Jon Rolewicz to accept staff recommendation.

A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
Jon Rolewicz
Nick Kroes
Chris Carter
Ed Simmons

NAYES:

EXCUSED:

ABSENT:

Kirk Kolberg

Motion carried.

DANGEROUS BUILDING NEW CASES:

EN-060006– 885 Amity(Garage) – BillDeb LLC – 3438 Ross, Muskegon, MI 49445

Wayne Charles was present to represent case.

Mr. Charles said he is in the middle of trying to foreclose on the property. It's in the court system. He is trying to keep the lawn cut. He hopes to get it settled quickly. He has seized the property but doesn't have the paperwork so he is in limbo right now. Randy Mackie asked if Mr. Charles had any idea when the foreclosure would be complete. Mr. Charles said he has an attorney working on it and asked for a court date. Chris Carter asked if Mr. Charles was the original owner of the property and if he expected the present owner to pay it out of foreclosure. Mr. Charles stated he's hoping to give them the vacant lot if they sign off on the garage because they are behind on taxes and he has paid \$14,000. Jon Rolewicz asked if at this point if he owned 885 Amity legally, which Mr. Charles answered no. Nick Kroes was concerned if Mr. Charles was using the lot that had the garage on it as a bargaining chip and we could end up with a decrepit building standing for quite some time while this negotiation is going on. Mr. Charles said he hopes it would be cleared up in 60 to 90 days. Mr. Charles said the roof is shot on one end of the garage and he's not sure if the whole roof or just part needs repair or if the whole structure should be demolished. Mr. Charles said if he gets it back he would see if you could get a buyer for the garage because it's of no use to him. Mr. Charles asked about the neighborhood improvement program that might be interested in buying lots. Henry Faltinowski stated that department that he needs to contact would be the Community Neighborhood Services under Wil Griffin. Board explained timeline between today's proceeding and when case would be sent to City Commission.

Staff Recommendation: Declare the building substandard, a public nuisance, and dangerous building.

Motion made by Chris Carter and seconded by Ed Simmons to accept staff recommendation.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>
Greg Borgman			
Randy Mackie			
Jon Rolewicz			
Nick Kroes			
Chris Carter			
Ed Simmons			
		Kirk Kolberg	

Motion carried.

OLD BUSINESS:

Jon Rolewicz asked about cases on Dangerous Building list that are old and haven't come back before board. Mark Kincaid said list would be reviewed and reported on next meeting. Greg Borgman asked about homes on Monroe that were empty. Mark Kincaid stated if homes are not boarded and not considered dangerous they can stay empty. Laura Hichue reported home on 1180 4th had been sold and new owner plans to rehab and needs to get approval from Historic District Committee before repairs can be made. Greg Borgman asked about progress on 487 W. Clay. Mark Kincaid said no permits have been issued but discussions will start on what is the next step to be taken. Jon Rolewicz asked about status of 571 W. Clay and Ken Murar reported a progress inspection was done in the winter and some progress was shown.

NEW BUSINESS:

ADJOURNMENT: 6:05 PM

CITY OF MUSKEGON

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The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, upon twenty-four hours notice to the City of Muskegon.

Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following.

Linda Potter, City Clerk
933 Terrace Street
Muskegon, MI 49443
(616) 724-6705 or TDD (616) 724-6773